

Ed memo

CITY-COUNTY GENERAL ORDINANCE NO. 69, 1993
Proposal No. 190, 1993

METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 93-AO-3

A GENERAL ORDINANCE to amend Marion County Council Ordinance No. 8-1957, as amended, the Zoning Ordinance for Marion County, which ordinance includes the Improvement Location Permit Ordinance, as amended, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4, establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana ordinances for the zoning or districting of all lands within the county for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood, and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; and,

WHEREAS, the Improvement Location Permit Ordinance for Marion County, Indiana, 68-AO-11, has been amended but has not been revised substantially in over seventeen years; and,

WHEREAS, the Regulatory Study Commission, after careful analysis, has found the the provision requiring an Improvement Location Permit for a ratification of a variance of use is unnecessary, replicative, and overly burdensome; and,

WHEREAS, the Regulatory Study Commission has recommended to the MDC and the City-County Council that the requirement for an Improvement Location Permit for a ratification of a use variance be removed from the Ordinance, now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Improvement Location Permit Ordinance of Marion County, Indiana, adopted under Metropolitan Development Commission Docket Numbers 68-AO-11, 71-AO-1, 75-AO-2 and 88-AO-1, as amended, pursuant to IC-36-7-4, be amended as follows:

That Section 1, B, 8, be amended by deleting the crosshatched language as follows:

~~8. VARIANCES; 1 YEAR REQUIREMENT FOR OBTAINING PERMIT~~


~~From and after the effective date of this ordinance, applications for Improvement Location Permit for structures or uses authorized by variance shall be filed within one (1) year of the grant of such variance, in accordance with the requirements of this ordinance excepting, however, the Administrator of the Division of Planning and Zoning of the Metropolitan Development Department may upon good cause shown, grant extensions of such one year period, not to exceed 180 days thereafter.~~

SECTION 2. If any section provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance than can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

SECTION 3. This ordinance shall be full force and effect upon its adoption in compliance with IC 36-7-4.

The foregoing was passed by the City-County Council this 7th day of June, 1993 at 8:20 p.m.

ATTEST:



Clerk of the City/County Council

Bert Sernas
President

STATE OF INDIANA, MARION COUNTY)
) SS:
CITY OF INDIANAPOLIS)

I, BEVERLY S. RIPPY, Clerk of the City-County Council, Indianapolis, Marion County, Indiana, do hereby certify the above and foregoing is a full, true, and complete copy of Proposal No. 190, 1993, a Proposal for a GENERAL ORDINANCE, passed by the City-County Council on the 7th day of June, 1993, by a vote of 28 YEAS and 0 NAYS, and was retitled General Ordinance No. 69, 1993, and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Indianapolis, Indiana, this
9 day of June, 1993.


Clerk of the City-County Council

(SEAL)